

# **MICHIGAN TRUCK SAFETY COMMISSION MTSC**

Commission Meeting held at the  
Michigan Center for Truck Safety - Lansing

## **APPROVED May 9, 2007, Meeting Minutes**

### **MTSC Commissioners Present**

Jacqueline El-Sayed  
Fred Bueter  
Michael Prince  
Timothy Kaltenbach  
James Parrinello  
Robert Powers  
James Van Zoeren  
David Zick  
James Scalici  
Robert McFarland

### **MTSC Commissioners Absent None**

### **Guests**

Frank Kelley  
Jeff Stevens  
Bruce Baker  
Walt Heinritzi  
David Ford

### **Michigan Center for Truck Safety Staff**

Mike Irwin  
Chris Caswell

### **OHSP Staff**

Deborah Sonnenberg  
Kim Kelly  
Steve Schreier

### **WELCOME AND INTRODUCTIONS – Dr. Elsayed**

New Commissioner – Mr. James Scalici representing the Michigan Transportation Commission was introduced and welcomed.

### **CALL TO ORDER**

The MTSC meeting was called to order by Dr. El-Sayed, Chair. Roll call of MTSC Commissioners was completed with the outcome determining a quorum was present.

### **PUBLIC COMMENT**

None

### **APPROVAL OF MTSC MINUTES**

Dr. El-Sayed called for a motion to approve the minutes from the March 21, 2007, meeting. Motion was made by Mr. Zick and supported by Mr. Van Zoeren. Motion carried.

### **ANNOUNCEMENTS**

- July 11, 2007 Meeting Location Change -.Dr. El-Sayed  
In recognition of the Michigan Center for Truck Safety's 10<sup>th</sup> Anniversary, the July 11, 2007 MTSC meeting will be held at the Michigan Center for Decision Driving (MCDD) within the Eaton Proving Grounds in Marshall, Michigan. ADDED NOTE: Due to budget issues, this event was cancelled and the meeting moved back to the MCTS office in Lansing.
- MCTS 10th Anniversary Update – Mike Irwin  
Arrangements for the MCTS 10th Anniversary recognition are underway. Mr. Irwin reported that the meeting room, lunch, media coverage, and displays have been arranged for. ADDED NOTE: Due to budget issues, this event was cancelled.
- FMCSA Leadership Award – Capt. Robert Powers  
The MSP Traffic Safety Division received a special award from the FMCSA at their national Leadership Conference in March. This award is very significant because it recognizes Michigan has done an outstanding job as a whole in promoting truck safety, from education to engineering to enforcement, and everyone working together as a whole providing Michigan's outstanding record.

Truck crashes and fatalities in Michigan have declined for six years straight and continue to decline. In the Mid-west Region, which consists of 13 states, Michigan has the lowest crash rate at .12, which also happens to be the FMCSA's year 2010 goal for all regions. Michigan is well ahead of the goal.

- Upcoming Enforcement Events – Captain Robert Powers
  1. Seat Belt Enforcement Mobilization throughout Michigan in May. Motor carrier officers will be supporting this to increase seat belt use awareness and compliance among truck drivers since their seat belt use is significantly lower than passenger vehicle drivers. Car drivers' usage rate is at 94.3 percent and the truck drivers' rate is at 76 percent. Motor carrier enforcement officers will be putting a lot of emphasis on seat belts during the mobilization period.
  2. June 5-7, 2007, Michigan will partake in the International "Road Check" sponsored by Commercial Vehicle Safety Alliance (CVSA) and the Federal Motor Carrier Safety Administration (FMCSA). This is a three-day event where throughout all of North America, including the Canadian Provinces, Mexico, U.S. Virgin Islands, Puerto Rico, and all 50 U.S. states, conduct commercial vehicle enforcement 24-7. Extra emphasis this year is on commercial vehicle driver safety belt usage and conducting safety inspections and enforcement of motor coaches.
  3. August brings Brake Safety Awareness Week. Captain Powers will provide more information on this event at the July 11 meeting.
  4. October 21-27, CVSA, in conjunction with FMCSA, is kicking off a new safety program called Operation Safe Driver. A week long dedication focusing on driver factors that contributes to crashes. Captain Powers will provide more information as the date approaches and the plans are finalized.
  5. Captain Powers met with his counterparts in Ohio, Illinois, Indiana, and Kentucky, to put together six cooperative enforcement days, one per month beginning in June. One month the combined focus will be targeting moving violations along the I-75 corridor. Another month will focus on the east and west routes, basically I-94, Ohio Turnpike, and I-70 in Ohio focusing on weight enforcement and unsafe food transport. Each month will focus on a different CMV issue. These states have worked together for several years to coordinate their resources, however, this year they have expanded their efforts.
- Departure of Mr. Tim Cotter - Captain Powers  
 Captain Powers announced that Mr. Tim Cotter, Division Administrator of Michigan's FMCSA is leaving Michigan in July to accept a lateral transfer in Pennsylvania. He and his family are from Pennsylvania and are looking forward to returning home. A permanent replacement should be announced in September.

## ACTION ITEMS

1. Truck Safety Fund Update – Ms. Kim Kelly  
 Ms. Kelly reported that due to Michigan's current budget crisis the State Budget Office (SBO) is looking at all funding sources. Two separate options being looked at are, 1) taking the Truck Safety carry-forward funds, the remainder showing on the statement that isn't shown as budgeted this year, and; 2) utilizing some of this year's funding. The background is that the Legislature gives the MTSC an appropriation which is the most that can be spent. This amount is usually more than the MTSC has ever budgeted in a year thus has never been an issue before. The SBO has gone into the state accounting system and decreased the allotment MTSC has each month to spend. The Legislature has not actually taken the appropriation; it has "unallotted the funds," simply stated, they will not let the MTSC spend \$1.3 million of it. Effectively, what MTSC has left to spend is \$1.6 million.

OHSP's discussions with the MSP Budget Office on this issue resulted in the MTSC Chair submitting a letter outlining the ramifications of the SBO's actions on the grantees of the Truck Fund. The MSP Budget Office, as an advocate for the MTSC, presented the issue to the SBO.

Addressing the action of the SBO to un-allot the funding in the Truck Fund, Mr. McFarland provided his legal opinion and expressed concerns stating that there may be a significant legal issue in terms of the actions of the SBO.

A motion was made by Mr. Bueter and supported by Mr. Parrinello, to request a legal opinion from the Attorney General's Office on the state's actions to un-allot the MTSC funds. A roll call vote was taken with 9 approved and 1 abstention (Captain Powers). Motion carried. At the request of Chair El-Sayed, Mr. McFarland will draft the correspondence to be sent to the Attorney General's Office for the Commissioners' review.

Mike Prince, in providing insight into the state's actions, stated that back in March, the Governor issued a series of Executive Directives, one of which was a moratorium on grant expenditures. This placed a moratorium on all state grants whether restricted funds, state funds, general funds, or federal funds. Existing grants were allowed to continue through the fiscal year. Anything new being issued, regardless of the fund source, must be vetted through the SBO for approval. To some degree, grants to state agencies are being approved. Everything else is waiting on a more formal procedure coming from the SBO to request approval. OHSP has some grants to local agencies pending approval but the SBO has not provided a process by which to request the approval. There appears to be consistency in that the SBO unallotted only those funds going out of the state system.

A Commissioner suggested stopping work on all MTSC's existing grants. Mr. Prince expressed concerns of doing that since the grants are written agreements (contracts per se) and authorized by the State.

In response to a question of cutting back on other spending, e.g., Motor Carrier, to cover the MCTS, Ms. Kelly explained the grants are totally separate appropriations and would take legislative action to transfer the funds. Ms. Kelly restated that the MTSC has the money; the question is if the SBO will let the MTSC spend it. Captain Powers suggested that Chair El-Sayed appear before the SBO and make a direct appeal. Mr. McFarland agreed to accompany her. Mr. Kaltenbach suggested Mr. Ed Dore also be asked to attend the meeting. Mr. Prince will arrange for the meeting.

#### 2. MCTS FY08 Education Grant Proposal – Mr. Mike Irwin

Chair El-Sayed entertained a motion made by Captain Powers and supported by Mr. Kaltenbach to table the MSP Enforcement Grant Proposal and the MCTS Grant Proposal until the July 11, 2007 meeting. The motion carried.

#### 3. FY08 MSP Enforcement Grant Application – Capt. Robert Powers

Chair El-Sayed entertained a motion made by Captain Powers and supported by Mr. Kaltenbach to table the MCTS Grant Proposal and the MSP Enforcement Grant Proposal until the July 11, 2007 meeting. The motion carried.

### **REPORTS**

#### 4. MCTS Project Director's Report – Mr. Mike Irwin

Mr. Irwin and the MCTS partnered with the Michigan Center for Decision Driving (MCDD) and Eaton Corporation to establish four Trucking Management Safety Director training dates at the skid pad, May 18, June 12, July 10, and August 14. The first two schools filled up within two weeks of publication.

Insurance and loss prevention agents are scheduled to the skid pad on June 19 and September 19. The Accident Fund has also scheduled three days in September to send their loss prevention staff to the skid pad training.

An insurance association requested a copy of the MCDD program from the Decision Driving course to submit for accreditation for Continuing Education Units (CEU's) for their agents and loss prevention staff attending the program. Mr. Irwin stated the interest of the insurance and loss prevention companies is viewed as a very positive step that these stakeholders see the value of this program.

One of the largest paving companies in the Metro Detroit area contacted Mr. Proctor, the MCTS's Southeast contact in Metro Detroit, to arrange for 60 of their members to participate in the Fatigue Awareness on-line program.

Mr. Irwin met with Mr. Greg Lantzy of the Department of the State (DOS) who oversees the Driver Education/Driver Training program. The DOS requires driver instructors to attend a professional development course. Mr. Lantzy requested the MCTS develop a program for the DOS to address the truck driver instructors professional development needs.

In answer to a question when the simulator will be actively used for training, Mr. Irwin advised that minor mechanical issues were being addressed, and that the Steering Committee was meeting at the end of May to discuss the simulator "road trip." Several criteria must be met before the simulator is transported to a location, e.g., ensure a secured location, adequate source of power, a point of contact, etc. Prospective trainers from the locations will be invited to have their qualifications evaluated. Having local trainers will eliminate the MCTS staff from several overnight stays and expenses. The goal is to have active simulator training beginning in late July or early August.

5. Article on Hours-of-Service – Capt. Robert Powers  
Captain Powers will provide copies of an article of interest on Hours-of-Service at the July 11 meeting.
6. Michigan Truck and Bus Crash Statistics – Capt. Robert Powers  
Statistics show a significant decrease in truck-related crashes and some reduction in fatality and injury crashes. Captain Powers stated that Michigan is leading the nation, and certainly the Mid-west in reducing these numbers.
6. OHSP Financial Report – Kim Kelly  
Included with Truck Safety Fund update above.

#### DISCUSSION ITEMS

1. Location of MTSC Meeting Location  
An anonymous caller telephoned the OHSP office and inquired why all MTSC meetings are held in Lansing. The caller indicated he hoped a response would be included in the meeting minutes. In response: It is a requirement written into the Michigan Center for Truck Safety's Grant contract that they provide a free meeting place for the MTSC. In addition, the Commissioners reside in various cities in Michigan and Lansing provides a central location in which to meet.

#### Adjournment

Chair El-Sayed announced the meeting adjourned at 10:47 a.m.

**Next meeting will be held at 9 a.m. on July 11, 2007,  
at the Michigan Center for Truck Safety,  
1131 Centennial Way, Lansing**